

APPLICATION NO. 10/004,716
DOCKET NO. P1022-1/N7980

REMARKS

Claims 21-40 were pending in the above-captioned application, with claims 34-40 withdrawn due to a restriction requirement. Claims 22, 23, 31 and 32 stand amended herein in order to more clearly define and fully protect Applicant's invention. Reconsideration and allowance of all claims 21-33 is respectfully requested.

Claim Objections

Claim 32 stands objected to in that at line 12 the word "solution" should be inserted after the word "intercalant". By amendment herein, claim 32 has been corrected as suggested.

Claim Rejections Under 35 U.S.C. § 112

Claims 22, 23, 31 and 32 stand rejected under 35 U.S.C. § 112 for the informalities in terms of antecedent basis and consistency of term usage pointed out in the Official Action at page 3. By amendment herein, each of claims 22, 23, 31 and 32 has been amended to correct the deficiencies noted in the Official Action. Thus, the Official Action should be withdrawn.

Double Patenting

All pending claims 21-33 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-21 of U.S. Patent No. 6,406,612. Although Applicant does not acquiesce in this rejection, in the interest of expediting

APPLICATION NO. 10/004,716
DOCKET NO. P1022-1/N7980

prosecution a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c) is filed herewith. Thus, the rejection under obviousness-type double patenting has been rendered moot and should be withdrawn.

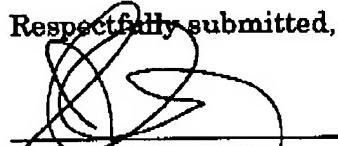
The additional citation made of record, but not relied upon has been reviewed, but not deemed sufficiently pertinent to require additional comment.

CONCLUSION

Based on the foregoing amendments and remarks, it is believed that all pending claims 21-33 are now in condition for allowance. Such action is earnestly sought. If there remains any matter which prevents the allowance of any of these claims, the Examiner is requested to call the undersigned, collect, at 615-242-2400 to arrange for an interview which may further expedite prosecution.

The Commissioner is authorized to charge any deficiency or credit any overpayment associated with the filing of this Response to Deposit Account 50-1202.

Respectfully submitted,


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Page 9/12

APPLICATION NO. 10/004,716
DOCKET NO. P1022-1/N7960

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